

IN THE IOWA DISTRICT COURT FOR MARION COUNTY

<p>LEA WILLIAMS,</p> <p>Plaintiff,</p> <p>-vs-</p> <p>CATAMARAN LLC; CATAMARAN LLC a/k/a and/or f/k/a and/or n/k/a and/or CATAMARAN INC., SXC HEALTH SOLUTIONS, INC., CATAMARAN PBM OF ILLINOIS, INC., OPTUMRX, INC., and/or OPTUMRX;</p> <p>Defendants.</p>	<p>LAW NO. <u>LACV095723</u></p> <p>ORIGINAL NOTICE</p>
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TO: ABOVE-NAMED DEFENDANT:

You are hereby notified that a Petition at Law has been filed in the office of the Clerk of this Court naming you as defendant in this action. A copy of the Petition filed with it are attached to this Notice. The Attorney for the Plaintiff is Nile Hicks, Beattie Law Firm, 4300 Grand Ave., Des Moines, Iowa 50312. The attorney's phone number is (515) 263-1000; facsimile number is (515) 263-1411; email is nile.hicks@beattielawfirm.com.

You must serve a motion or answer within 20 days after service of this original notice upon you and, within a reasonable time thereafter, file your motion or answer with the Clerk of Court for Marion County, Iowa, at the county courthouse located in Knoxville, Iowa. If you do not, judgment by default may be rendered against you for the relief demanded in the Petition.

If you require the assistance of auxiliary aids or services to participate in court because of a disability, immediately call your district ADA coordinator at _____. If you are hearing impaired, call Relay Iowa at 1-800-735-2942.

CLERK OF COURT
Marion County Courthouse
214 E. Main St.
Knoxville, IA 50138

IMPORTANT

YOU ARE ADVISED TO SEEK LEGAL ADVICE AT ONCE TO PROTECT YOUR INTERESTS.

STATE OF IOWA JUDICIARY

Case No. LACV095723

County Marion

Case Title LEA WILLIAMS V. CATAMARAN, ET AL.

THIS CASE HAS BEEN FILED IN A COUNTY THAT USES ELECTRONIC FILING.

Therefore, unless the attached Petition and Original Notice contains a hearing date for your appearance, or unless you obtain an exemption from the court, you must file your Appearance and Answer electronically.

You must register through the Iowa Judicial Branch website at <http://www.iowacourts.state.ia.us/Efile> and obtain a log in and password for the purposes of filing and viewing documents on your case and of receiving service and notices from the court.

FOR GENERAL RULES AND INFORMATION ON ELECTRONIC FILING, REFER TO THE IOWA COURT RULES CHAPTER 16 PERTAINING TO THE USE OF THE ELECTRONIC DOCUMENT MANAGEMENT SYSTEM:

<http://www.iowacourts.state.ia.us/Efile>

FOR COURT RULES ON PROTECTION OF PERSONAL PRIVACY IN COURT FILINGS, REFER TO DIVISION VI OF IOWA COURT RULES CHAPTER 16: <http://www.iowacourts.state.ia.us/Efile>

Scheduled Hearing:

If you require the assistance of auxiliary aids or services to participate in court because of a disability, immediately call your district ADA coordinator at (515) 286-3394 . (If you are hearing impaired, call Relay Iowa TTY at 1-800-735-2942.)

Date Issued 09/30/2015 02:36:30 PM



District Clerk of Marion

County

/s/ Sue Beary

Exhibit A

IN THE IOWA DISTRICT COURT FOR MARION COUNTY

LEA WILLIAMS, Plaintiff, -vs- CATAMARAN LLC; CATAMARAN LLC a/k/a and/or f/k/a and/or n/k/a and/or CATAMARAN INC., SXC HEALTH SOLUTIONS, INC., CATAMARAN PBM OF ILLINOIS, INC., OPTUMRX, INC., and/or OPTUMRX; Defendants.	LAW NO. <u>LACV095723</u> PETITION AT LAW and JURY DEMAND
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COMES NOW, the Plaintiff, Lea Williams, for her causes of action against the Defendants, above named, and states to the Court as follows:

GENERAL ALLEGATIONS

1. That at all times material hereto the Plaintiff, Lea Williams, was a resident of Pleasantville, Marion County, State of Iowa.

2. That at all times material hereto the Defendant, CATAMARAN LLC, was a foreign corporation, doing business in the State of Iowa, and will be served with notice of this action.

3. That upon information and belief, Catamaran LLC is the proper party name, but Catamaran also operates or has operated various other entities including CATAMARAN INC., SXC HEALTH SOLUTIONS, INC., and CATAMARAN PBM OF ILLINOIS, INC.

4. That upon information and belief, one or more of the Catamaran companies recently merged with Defendant OPTUMRX and/or OPTUMRX, Inc.

5. That reference to "Catamaran" in this Petition shall refer to all entities listed in the caption as well as any other

company operated under the Catamaran umbrella and/or any contractors or subcontractors it may have relevant to this matter.

6. That the incident which is the subject matter of this lawsuit occurred on or about November 1, 2013 at Plaintiff's residence at 397 McKimber St., Pleasantville, Marion County, State of Iowa.

7. Defendant Catamaran provides pharmacy services for clients such as Plaintiff, including but not limited to, filling and delivering prescriptions to a person's home.

8. Plaintiff has been diagnosed with hypothyroidism, which is treated medically through the prescription of medication, including Synthoid.

9. Catamaran was to fill and provide a prescription of Synthoid for Plaintiff, which was delivered to Plaintiff at her home.

10. Instead of providing the correct medication to Plaintiff, Defendant provided and supplied Glipizide, a medication intended to treat type 2 diabetes.

11. Glipizide is a medicine that helps control blood sugar levels by helping your pancreas produce insulin.

12. A Glipizide overdose can cause life-threatening hypoglycemia, including weakness, blurred vision, sweating, trouble speaking, tremors, stomach pain, confusion, seizure, and convulsions.

13. On November 2, 2013, Plaintiff experienced an unintentional overdose of Glipizide, believing that she was taking her proper Synthroid medication.

14. Pleasantville Emergency Services was dispatched on November 2, 2013 to Plaintiff's residence in Pleasantville because she was conscious but unresponsive.

15. Plaintiff was found conscious but unresponsive lying in bed on November 2, 2013 after feeling general malaise and feeling cold earlier that evening.

16. When paramedics arrived, she had a GCS of 7.

17. She was admitted to Mercy with hypoglycemia and discharged November 3, 2013 with recommendations to follow up with her family doctor.

18. Since that time, she has dealt with continuing problems related to the November 2, 2013 incident, including a PTSD diagnosis from her family doctor.

19. That this Court has jurisdiction over the parties.

20. That this Court has jurisdiction over the subject matter of this lawsuit.

21. That this matter exceeds jurisdictional minimums.

22. That venue in Marion County is proper.

DIVISION I

(NEGLIGENCE - CATAMARAN)

23. That Plaintiff repleads and realleges the allegations of all above paragraphs and by this reference incorporates said paragraphs herein all to have the same force and effect as though fully set out herein.

24. That Defendant, Catamaran, was negligent in one of more of the following particulars:

- a) In failing to use reasonable care in filling prescription orders for Plaintiff;
- b) In supplying Plaintiff with Glipizide instead of Synthroid;
- c) In failing to have adequate practices and procedures in place to ensure that the proper medication is provided to the client;

- d) In failing to adequately warn Plaintiff concerning the fact that it provided her with the wrong medication;
- e) In other particulars as such discovered through the course of this litigation.

25. That the negligence of the Defendant, Catamaran, was a proximate cause of the accident and the resulting injuries and damages to the Plaintiff.

26. That the damages and injuries suffered by Plaintiff are within Defendant's scope of liability.

27. That the damages sustained by the Plaintiff include but are not limited to:

- a. Past, present, and future medical and hospital care and treatment;
- b. Past, present, and future disability;
- c. Past, present, and future physical and mental pain and suffering and an inability to lead a normal life;
- d. Past, present, and future loss of enjoyment of life;
- e. Past, present, and future loss of earnings and earning capacity;
- f. Out-of-pocket expenses and costs incurred as a result of the incident heretofore alleged; and
- g. Past, present, and future permanent disfigurement.

28. That as a direct and proximate cause of the negligence of the Defendant, Catamaran, the Plaintiff, Lea Williams, has been damaged and is entitled to just, reasonable and adequate compensation therefore.

WHEREFORE, Plaintiff, Lea Williams, prays for judgment against the Defendant, Catamaran, in an amount of just, reasonable

and adequate compensation for the injuries and damages she has sustained together with interest as by law allowed and the costs of the action.

JURY DEMAND

COMES NOW, the Plaintiff and hereby request trial by jury of all issues in the above-stated matter.

BEATTIE LAW FIRM

By /s/ Nile Hicks
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Nile Hicks (AT0009391)
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